

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Susan Jones,

Plaintiff,

vs.

Capital One Bank (USA), N.A.,

Defendant.

Case No. _____

Notice of Removal

TO: Plaintiff and her attorneys, Andrew C. Walker and Bennett Hartz, Walker & Walker Law Offices, PLLC, 4356 Nicollet Avenue South, Minneapolis, MN 55409.

Under 28 U.S.C. § 1446, defendant Capital One Bank (USA), N.A. (hereinafter “Capital One”), hereby gives notice of the removal of the above-entitled action to the United States District Court for the District of Minnesota, and in support of the Notice of Removal states as follows:

1. On or about March 20, 2018, Plaintiff commenced an action against Capital One in Anoka County District Court entitled *Susan Jones v. Capital One Bank (USA), N.A.* (the “State Action”). A copy of the Complaint in the State Action is attached to this Notice of Removal.

2. Copies of all other process, pleadings, and orders served on Capital One in the State Action, if any, are attached collectively to this Notice of Removal.

3. The United States District Court for the District of Minnesota has original jurisdiction over this action under 28 U.S.C. § 1331. The Court has federal-question jurisdiction under 28 U.S.C. § 1331 because Plaintiff alleges that Capital One violated the

Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227 *et seq.* See *Mims v. Arrow Financial Services, LLC*, 132 S. Ct. 740 (U.S. 2012) (holding that the TCPA’s permissive grant of jurisdiction to state courts does not deprive the U.S. district courts of federal-question jurisdiction over private TCPA suits).

4. This Notice of Removal is filed within 30 days after service of the Summons and Complaint on Capital One.

5. The United States District Court for the District of Minnesota is the District Court for the district embracing the entire state of Minnesota, where the State Action is currently pending. See 28 U.S.C. § 103. Venue is therefore proper in this district under 28 U.S.C. § 1441(a).

6. Capital One expressly reserves its right to raise all defenses and objections to Plaintiff’s claims after the action is removed to the above Court.

Dated: April 19, 2018

s/ Jessica Z. Savran
Erin L. Hoffman
Bar Number 0387835
Jessica Z. Savran
Bar Number 0348983
Attorneys for Defendant
Capital One Bank (USA), N.A.
FAEGRE BAKER DANIELS LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901
Telephone: (612) 766-7000
Fax: (612) 766-1600
erin.hoffman@FaegreBD.com
jessica.savran@FaegreBD.com